



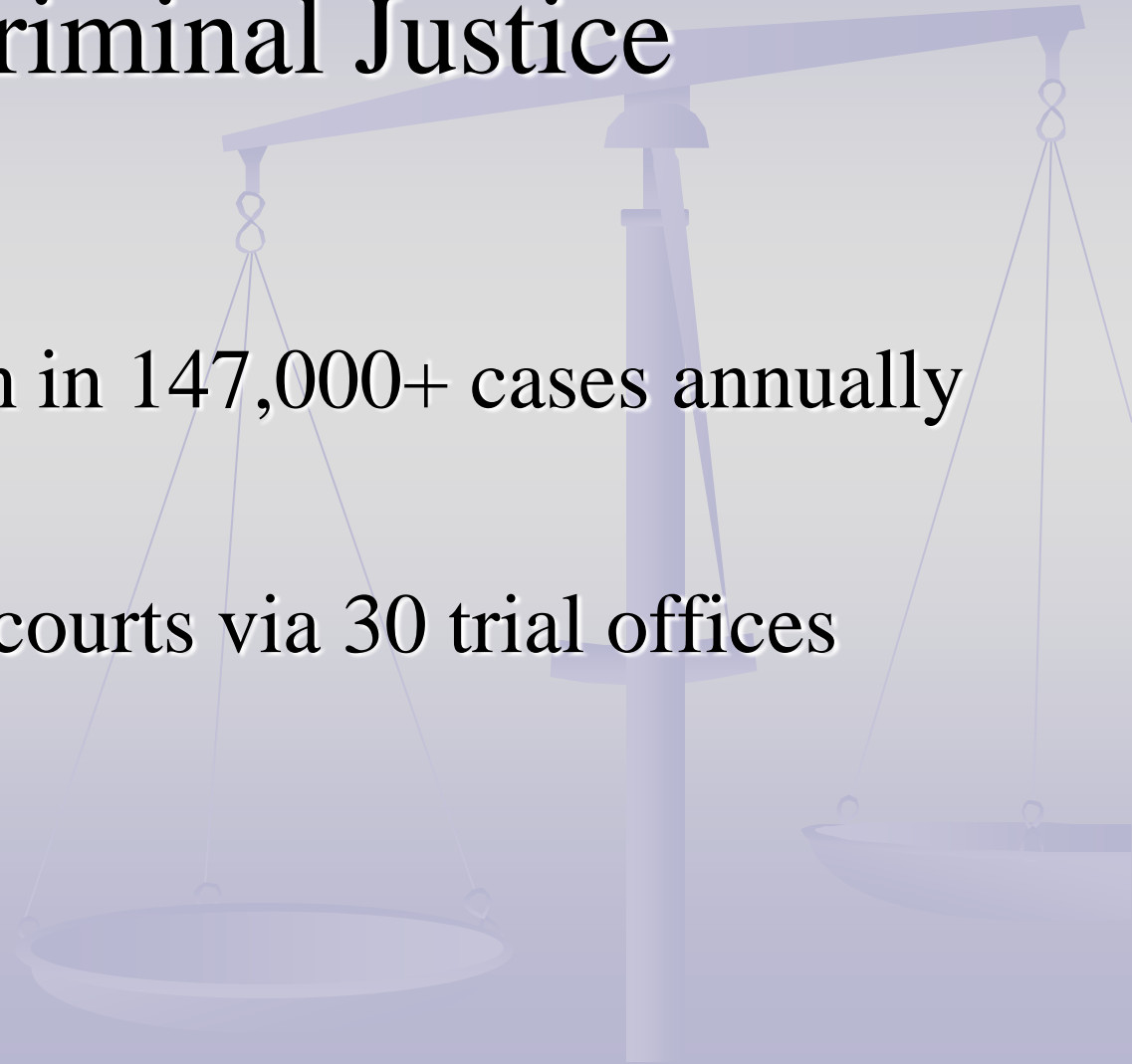
# **Alternative Sentencing Social Workers**

## ***Navigating Evidence Based Policies and Practices***

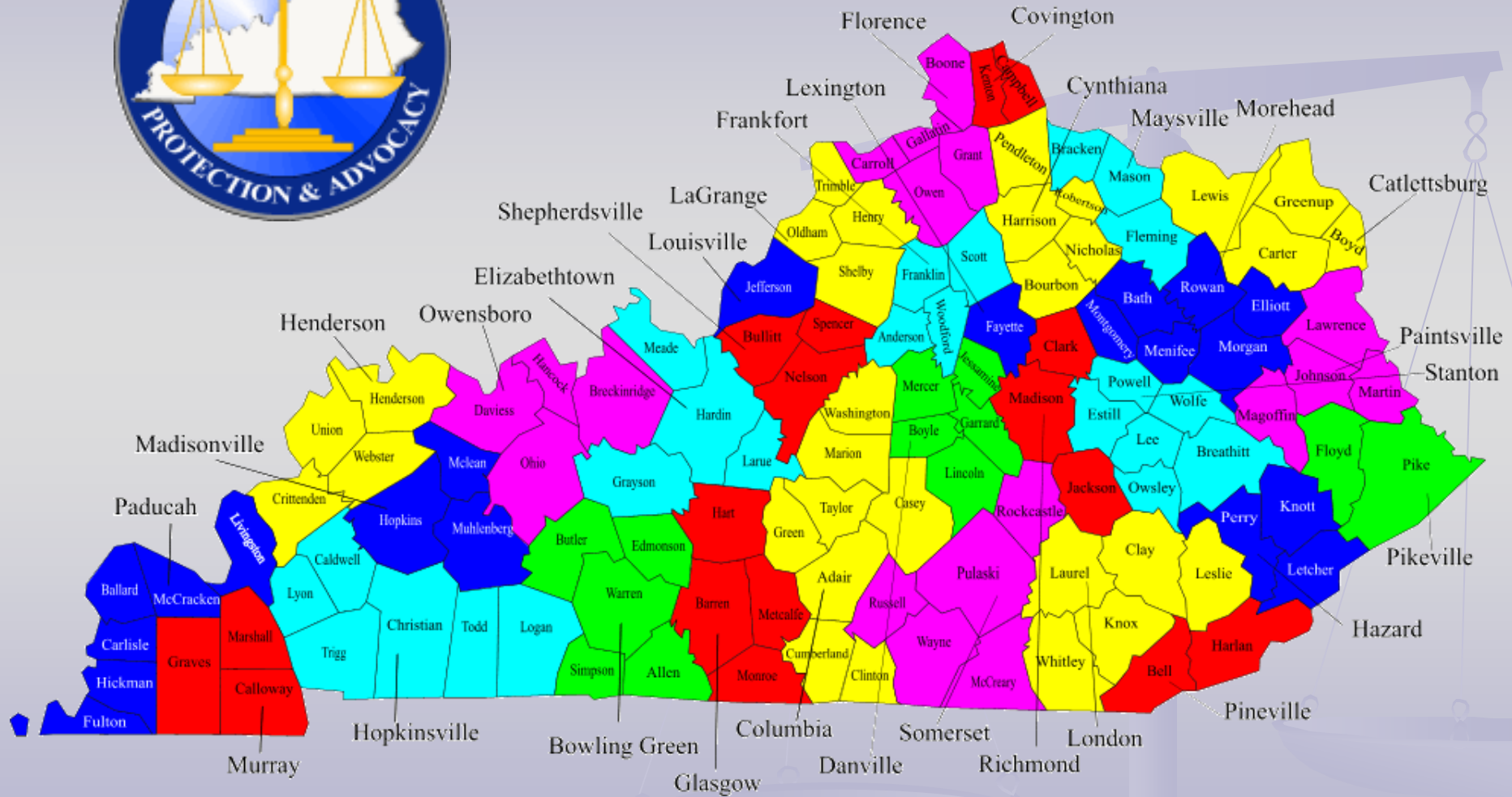
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**Kentucky Public Advocate**  
Frankfort KY  
September 21, 2010

# The Scope of DPA Involvement in KY Criminal Justice

- Representation in 147,000+ cases annually
- 120 counties
- All Kentucky courts via 30 trial offices



**Representation in 147,000+ cases in 120 counties  
and in all Kentucky courts via 30 trial offices**



# Uniquely able to guide offenders into effective treatment

- 1) Attorney-client privilege increases candid client participation and effectiveness of early intervention
- 2) Improve coordination and cooperation among criminal justice agencies and treatment providers
- 3) Represent the vast majority of criminal defendants in the state and is thus particularly well-suited to lead a collaborative effort with prosecutors and probation/parole to address substance abuse by offenders
- 4) Intervention early in a case results in the presentation of detailed, evidence-based sentencing and pretrial release plans to the court, increasing the likelihood of pretrial release or probation with an individualized sentencing plan

# Uniquely Effective - Motivating Clients Toward Change

## ■ Pre-contemplation

- Not contemplating change- often in denial

## ■ Contemplation

- Beginning to be aware change is desirable – no action yet

## ■ Preparation

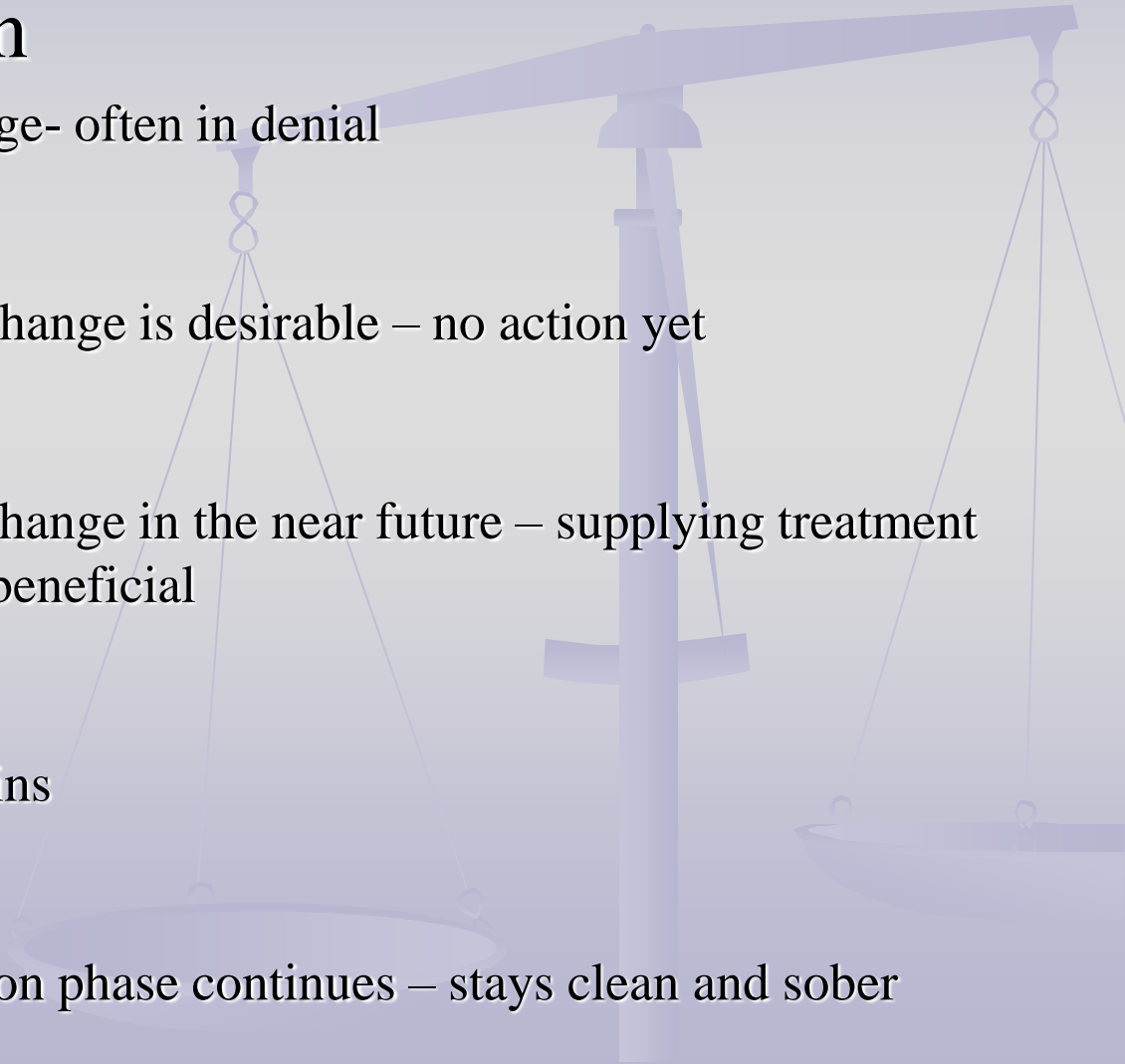
- Deciding to commit to change in the near future – supplying treatment info at this time is very beneficial

## ■ Action


- Change in behavior begins


## ■ Maintenance


- Change initiated in Action phase continues – stays clean and sober

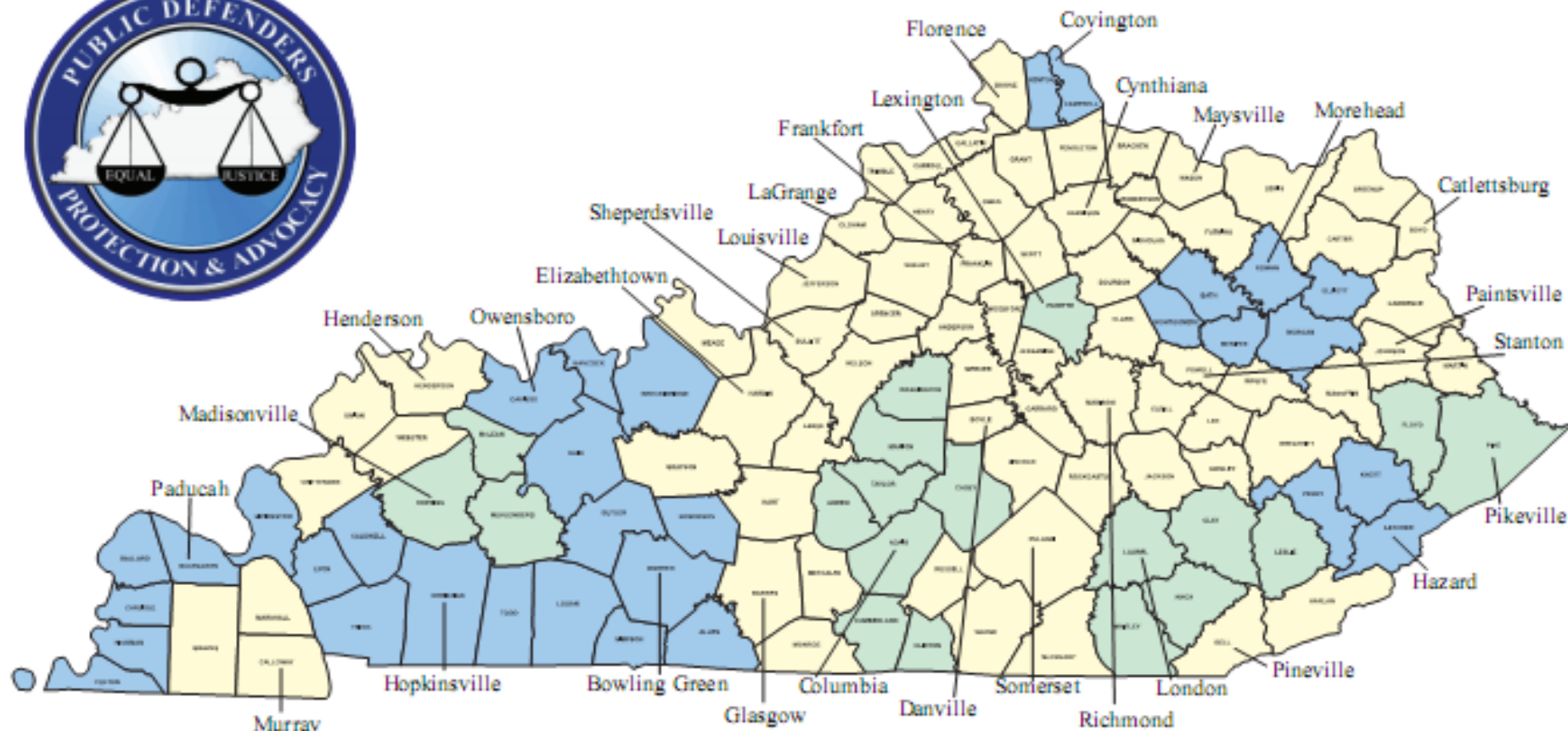


# Alternative Sentencing Social Workers

 **Current DPA Social Worker  
Social Worker**

 **Grant Funded DPA  
Social Worker**

 **No DPA  
Social Worker**



# Alternative Sentencing Social Worker



## **Provides judges**

- relevant mitigating information about defendant's physical and mental health, social history
- resources available in the community
- positive alternatives to incarceration

## **Diverts persons**

- services and treatment to successfully transition into their communities and become productive citizens

## **Saves incarceration costs**

- diverting persons with addiction, mental illness and juveniles to community-based treatment

## **Reduces recidivism**

- 18% recidivism after 6 months

## **Increases client's economic self sufficiency**

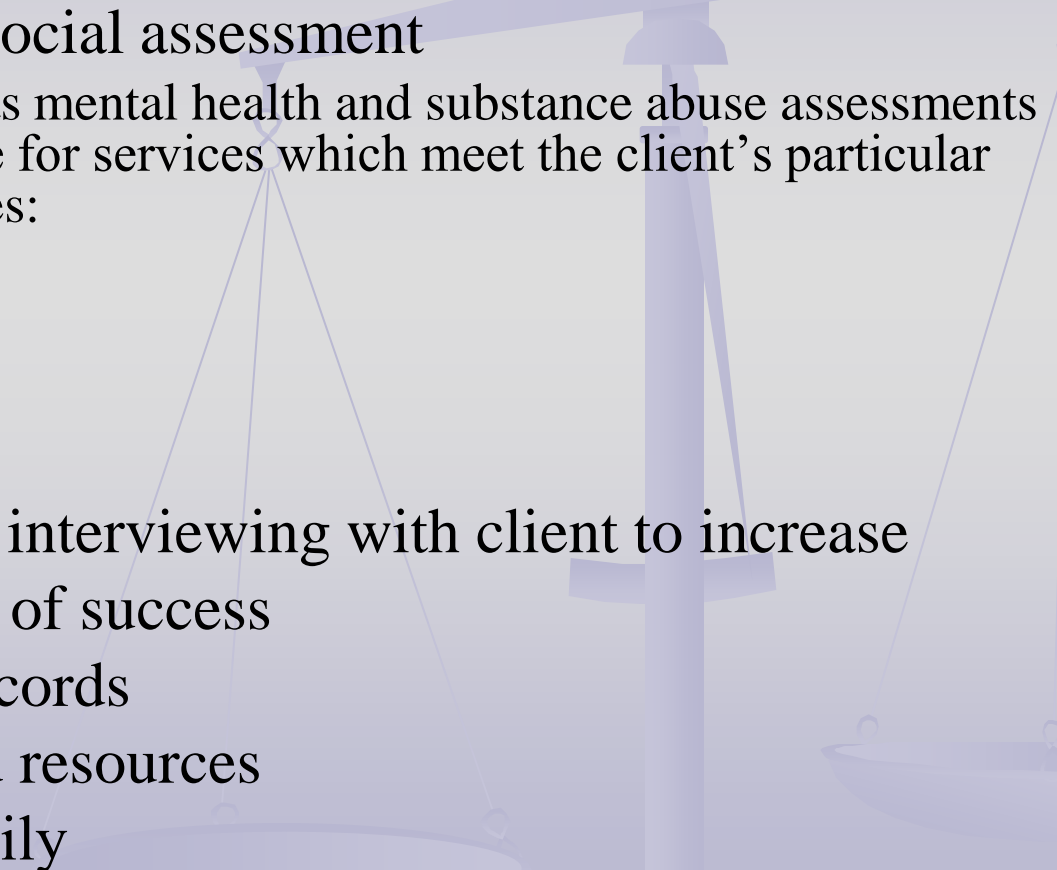
- working, paying taxes, providing child support, restitution, court costs





# What a DPA Social Worker Does

## Pre-sentencing

- Conduct bio-psycho-social assessment
    - Social worker conducts mental health and substance abuse assessments to identify and arrange for services which meet the client's particular needs that also includes:
      - Housing
      - Medical
      - Childcare
      - GED
      - Job training
  - Conduct motivational interviewing with client to increase buy-in and likelihood of success
  - Request and obtain records
  - Identify treatment and resources
  - Interview client's family
- 

# What a DPA Social Worker Does

## Sentencing

- Help present client to judge as a person amenable to alternative sentence
- Prepare alternative sentencing plan for attorney to present to judge
- Develop re-entry support plans
- Assist attorney, communicate to judge, commonwealth attorney, probation and parole officers

# What a DPA Social Worker Does

## Post-sentencing

- Arrange for client to be accepted into and attend treatment
- Assist client in establishing positive support systems
- Support client and family
- Work with provider to obtain services
- Work with the client until 6 months following disposition of case or until the client is stable.

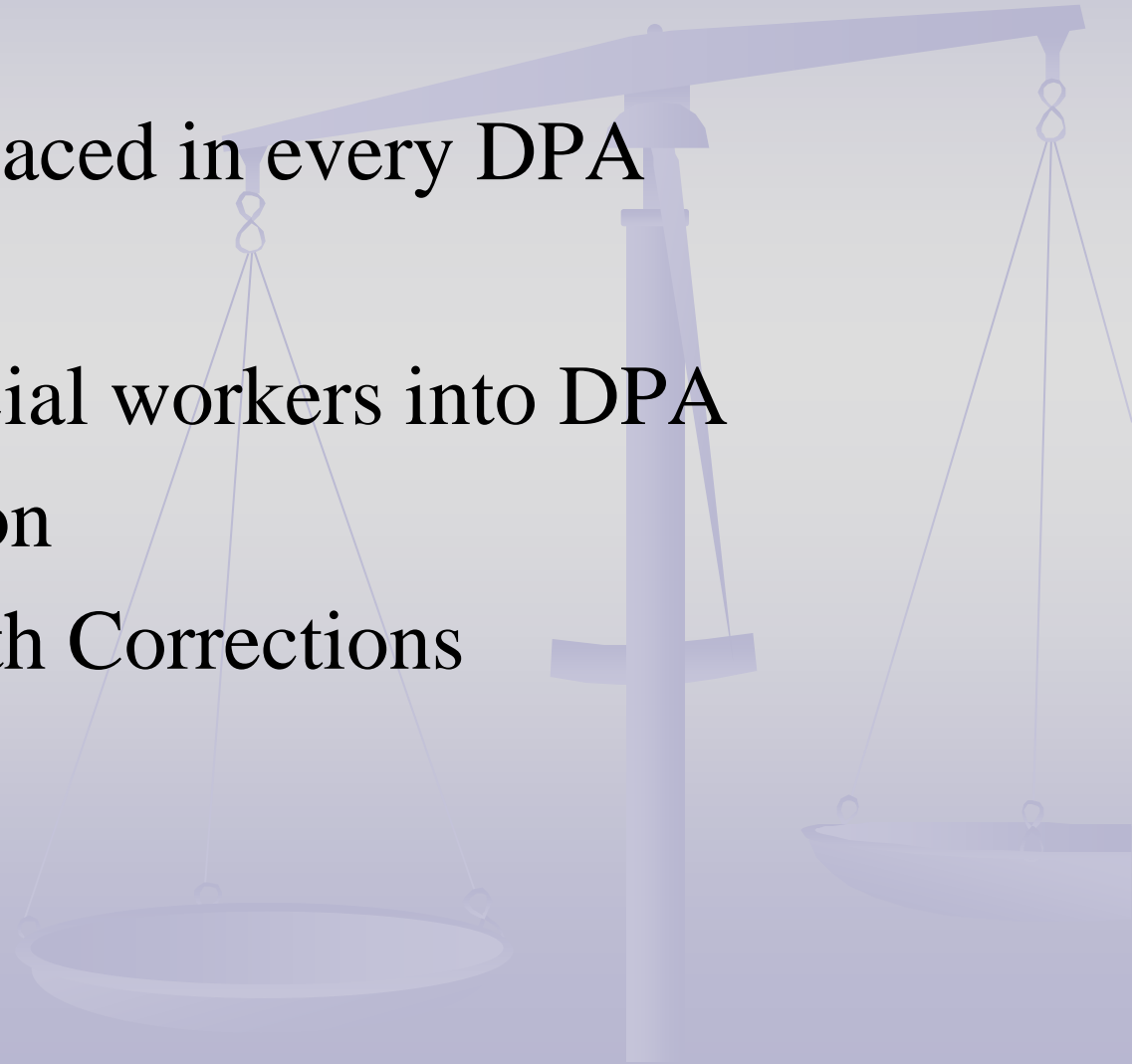
# The Savings

- 10,000 days of incarceration saved by each social worker
- The program's net annual savings was \$290,508
- For \$1.00 invested in alternative sentencing social workers, the state saved \$3.25 of incarceration costs for a net \$2.25
- **Projected savings for state-wide implementation is estimated to be \$3.1 million per year**
- Likely more – out year savings – Commonwealth may not pay for treatment

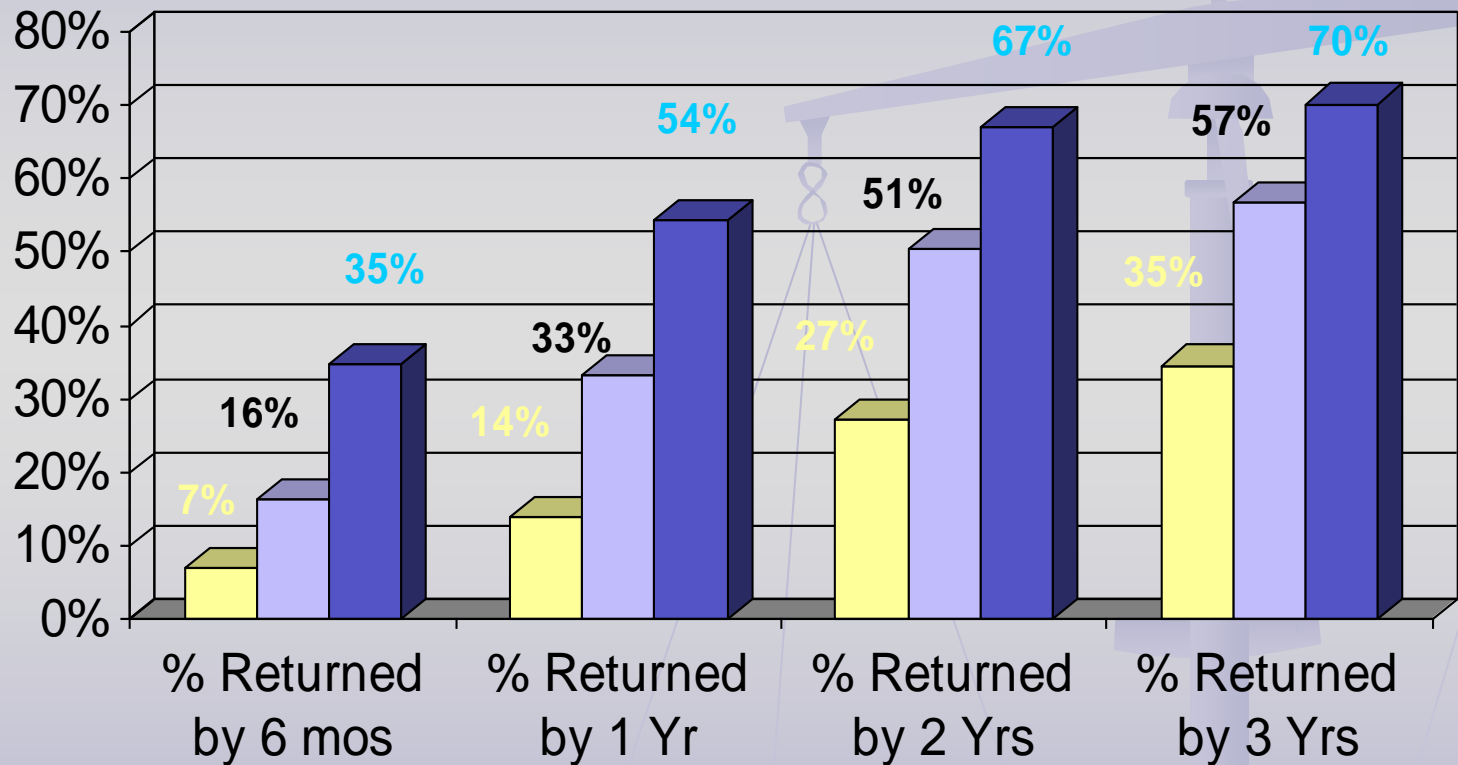
# Potential

Additional savings to state and local governments

- Social workers placed in every DPA Trial Office
- Incorporating social workers into DPA Post-Trial Division
- Collaboration with Corrections



# Recidivism Rate Decreased With Employment Stability- only 1/3 of inmates receive vocational training while incarcerated (Source: Wendy Hayden, Re-Entry Branch Mgr, KY Corrections)



■ Employed Full Time - 10,182 ■ Employed Part Time - 6,712 ■ Unemployed - 1,697

# National Center for State Courts

## Sentencing Attitudes Survey

2006 national poll of 1,502 randomly selected adults

### Major findings

**#2- Americans think rehabilitation is a more important priority than punishment and overwhelmingly believe that many offenders can, in fact, be successfully rehabilitated. But most see America's prisons as unsuccessful at rehabilitation.**

**#4 - High levels of public support are found for alternatives to a prison sentence like probation, restitution, and mandatory participation in job training, counseling, or treatment programs, at least for non-violent offenders. The public is particularly receptive to using such alternatives in sentencing younger offenders and the mentally ill.**

# Positive, Lasting Change

- Involving social workers in sentencing:
  - changes lives
  - breaks the cycle of substance abuse and jail
  - AND saves taxpayers millions of dollars.

